



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,515	08/20/2003	Jonathan D. Beard	TUC920030115US1 (16874)	6578
46263 7590 04/19/2007 SCULLY, SCOTT, MURPHY, & PRESSER 400 GARDEN CITY PL GARDEN CITY, NY 11530			EXAMINER GYORFI, THOMAS A	
			ART UNIT	PAPER NUMBER
			2135	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/644,515

Applicant(s)

BEARD ET AL.

Examiner

Tom Gyorfi

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-30 remain for examination.

Response to Arguments

2. Applicant's arguments filed 2/13/07 have been fully considered but they are not persuasive.
3. With respect to the claim limitation "establishing a login account with login information at the client machine in response to the request", Applicant curiously argues the following: *"The Office Action cites Guo et al.'s paragraphs [0032] and [0047] as allegedly disclosing these elements. Guo et al.'s paragraph [0032] discloses that user of client computer system and the operator of affiliate server with authentication server prior to executing the authentication process."* (amendment, top of page 11). Examiner fails to see how this could not possibly read on the claim limitation, particularly as the specification defines "establishing a login account" as creating the account for the first time (Specification, paragraph [0013]) Analogously, a user of the Guo system must request an account before any of the remaining authentication steps can be provided, just as disclosed in paragraph 0032. It is further noted that the quoted passage of the specification provides for the "client machine" to be a server, and thus is not strictly limited to embodiments where the client machine can only be the user's own computer, as Examiner best understands Applicant's argument to be.
4. With respect to the remaining limitations in dispute (those that deal with encrypted communications between the client machine and the authentication server),

Art Unit: 2135

Applicant is reminded that Guo discloses using secure sockets (SSL) technology for all communications (see paragraphs 0039 and 0040; cf. explicit mention of “secure socket layers” in previously cited paragraph 0049). The various encryption/decryption limitations recited in the claims are inherent to the use of SSL in general; but even were that not so, as Guo discloses transmitting a password during at least the registration phase of the authentication process (paragraph 0032), one of ordinary skill in the art would have known that sending unencrypted passwords over a communication medium (where they could be intercepted with ease) would be such a security risk as to completely defeat the security otherwise afforded by the Guo invention.

5. The dependent claims are rejected for substantially similar reasons as discussed above

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Guo et al. (U.S. Pre-grant Publication 2003/0217288).

Regarding claims 1, 10-12, and 21:

Guo discloses a method/system/program for authenticating a user's access to a client machine, comprising: communicating a request for access from the user machine to the client machine (paragraph 0045; element 32 of Figure 3); establishing a login

Art Unit: 2135

account with login information at the client machine in response to the request (paragraph 0032); encrypting the login information at the client machine and communicating the encrypted login information to the user machine (paragraph 0047); communicating the encrypted login information and authentication information associated with the user from the user machine to an authentication server (Ibid, and element 50 of Figure 3); and decrypting the encrypted login information at the authentication server and communicating the decrypted login information to the user machine if the authentication information is acceptable to the authentication server (paragraphs 0039-0040, and 0049- 0050). For the sake of clarity, it is noted that the "client machine" of Guo corresponds to the user machine of the claim, and the affiliate server(s) of Guo correspond to the "client machine" of the claim.

Regarding claims 2, 13, and 22:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses communicating an identifier associated with the user from the user machine to the client machine (paragraph 0038); encrypting the identifier at the client machine and communicating the encrypted identifier to the user machine (paragraph 0047); communicating the encrypted identifier from the user machine to the authentication server (Ibid, and element 50 of Figure 3); decrypting the encrypted identifier at the authentication server (paragraphs 0039-0040); wherein the decrypted login information is communicated to the user machine if the decrypted identifier is acceptable to the authentication server (Ibid, and paragraphs 0049-0050).

Art Unit: 2135

Regarding claims 3, 14, and 23:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses encrypting the identifier at the client machine and communicating the encrypted identifier to the user machine (paragraph 0047); communicating the encrypted identifier from the user machine to the authentication server (Ibid, and element 50 of Figure 3); decrypting the encrypted identifier at the authentication server (paragraphs 0039-0040); wherein the decrypted login information is communicated to the user machine if the decrypted identifier is acceptable to the authentication server (paragraphs 0049-0050).

Regarding claims 4, 15, 24, and 28-30:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses communicating the login information from the user machine to the client machine to enable the user to access the client machine (paragraph 0049; element 60 of Figure 3). As claims 28-30 consist of all the limitations of claim 4, they are rejected by the same rationale.

Regarding claims 5, 16, and 25:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses wherein the login information comprises at least one of a name and a password (paragraph 0032).

Art Unit: 2135

Regarding claims 6, 17, and 26:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses wherein the login information is encrypted at the client machine using a public key of a public key-private key pair (paragraph 0040); and the encrypted login information is decrypted at the authentication server using the private key of the public key-private key pair (Ibid).

Regarding claims 7, 18, and 27:

Guo discloses all the limitations of claims 1, 12, and 21 above. Guo further discloses wherein the authentication identifier comprises an identifier associated with the user (paragraph 0032).

Regarding claims 8 and 19:

Guo discloses all the limitations of claims 1 and 12 above. Guo further discloses wherein the encrypted login information is inaccessible to the user machine (paragraph 0051).

Regarding claim 9:

Guo discloses all the limitations of claim 1 above. Guo further discloses wherein the request for access is communicated from the user machine to the client machine, and the encrypted login information is communicated from the client machine to the user machine via a Secure Sockets Layer connection (paragraphs 0039 and 0055).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: RFC 2246: "The TLS Protocol, Version 1.0" further expounds on the encryption/decryption techniques inherent to the secure sockets layer explicitly employed by Guo (cf. Guo, paragraphs 0039, 0040, and 0055).

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

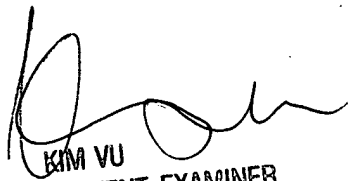
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:30am - 5:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TAG
4/4/07


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100